THE

RIGHTS OF THE POOR

CONSIDERED;

WITH THE

CAUSES AND EFFECTS

OF

MONOPOLY,

AND

A PLAN OF REMEDY

BY MEANS OF A

POPULAR PROGRESSIVE EXCISE.

BY GEORGE BREWER.

"Happy are those few nations who have not waited till the slow "succession of human vicissitudes should, from the extremity of evil, "produce a transition to good, but by prudent laws have facilitated "the progress from one to the other." M. BECCARIA.

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THE

FOLLOWING PAGES

ARE

MOST HUMBLY DEDICATED

TO

MEN WHO HAVE GREAT POWER,

BY

ONE WITHOUT ANY.

PREFACE.

IT is not eaſy for a thinking mind to reſt inactive in times when any portion of talent, however ſmall, might be uſefully employed; and, though I moſt freely confeſs, an Author ſeldom publiſhes from motives in which vanity has no ſhare, yet, on the preſent occaſion, an intereſt is created that ſuperſedes any other principle. It is impoſſible not to feel for the preſent ſituation of the induſtrious poor. It is in their cauſe I venture beyond the pleaſurable purſuits of literature that have hitherto filled up my moments of leiſure; to conſider objects, and individual facts, requiring in their inveſtigation, all the ſtrength

of true judgment and philoſophy; but the public will judge with complacency of the deſign; this is certain, I could not have enliſted myſelf as a political writer, at a better moment, or in a better cauſe.

INTRODUCTORY OBSERVATIONS.

THE Thoughts on the Rights of the Poor are publiſhed on the ſtrength of the following propoſitions: Firſt, That Government is deſirous to preſerve the political health of the people; and ſecondly, That every ſuggeſtion aiming at the public good, come from where it may, will be acceptable.

In defining the Rights of the Poor, the Author truſts he ſhall purſue, as near as his abilities will permit, a chain of philoſophical argument; that he ſhall not be warmed into prejudice by the intereſt of the ſubject, or chilled into inſenſibility by the fear of offence to any. The object of every inquiry ſhould be the truth; and if a writer has no other end in view, it is difficult to imagine he will have

any thing to apprehend, even from the folly of prejudice, or the opinion of party.

The truth is ſo forcible an appeal to the human underſtanding, that no crooked policy, or ill-judged reſtraint, can oppoſe it long: it may be annoyed and ſuppreſſed, but it will be ſtill found again of the ſame ſtrength, and in the ſame place: it is the glory of human nature, and will continue to ſhed its rays into the mind of man, till its emanations are recalled from earth to the place from whence they flowed—the boſom of the Creator.

Every good man reflects at times on the ſituation of the ſociety in which he lives. To them the preſent inquiry is addreſſed: an inquiry that does not aſk, but demands attention; it reſpects chiefly the condition of the lower order of the people, but it involves in its conſequences, the ſafety and welfare of the whole community.

The Author begs to be underſtood, leſt he ſhould otherwiſe ſuffer by miſrepreſentation, that he is, and with pride avows that he is, a

loyal

loyal ſubject to his King, a ſincere friend to the eſtabliſhed Religion and Conſtitution of his Country, and an enemy to innovation, tumult, and diſorder. The ground which he has taken is not, however, thus partially marked out; its circle ſpreads till it embraces the rights of all ſociety—but moſt of all, the rights of the poor.

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THE

THE

RIGHTS OF THE POOR,

&c. &c.

CHAP. I.

The Rights of the Poor defined.

THE rights of the poor ariſe from the very nature of ſociety, which induces a reciprocity of intereſt from one part of it to the other, for the good of all.

The reciprocities of ſociety preſcribe, that thoſe who bring in a proportion of benefit to the common Weal, ſhall receive, in the ſame ratio, a ſhare of its advantages, with the protection of its laws.

The ſocial compact is a bond, entered into by a people, to give and receive reciprocally, one from another, an exchange of intereſts and benefits: this mutual intercourſe forms the great family of a commonwealth, and here the neceſſity of practiſing juſtice is preſerved, by the right claimed of receiving it.

The Marquis Beccaria, in his celebrated Eſſay on Crimes and Puniſhments, explains the reciprocities of ſociety, in the following clear and comprehenſive manner:

"If every individual is bound to ſociety, ſociety is equally bound to him, by a contract, which, from its nature, equally binds both parties: this obligation, which deſcends from the throne to the cottage, and equally binds the higheſt and loweſt of mankind, ſignifies nothing more than that it is for the intereſt of us all, that conventions, which are uſeful to the greateſt number, ſhould be punctually obſerved: the violation of this contract by any individual, is an introduction to anarchy."

It

It being admitted that there are certain reciprocal claims and rights, belonging to each part of ſociety, we are naturally led to conſider, as the object of our preſent inquiries, what are the proper rights of the poor? I mean thoſe rights which belong to them as tenants in common of the ſame happy ſoil.

The rights of the poor, as I take it, are principally theſe: firſt, The fair recompence of the produce of their labour. Secondly, The right of an equal protection with the reſt of the community from the laws, to enable them to enjoy with a ſenſe of ſafety, the fruits of that labour; which laſt right is derived from their having ſacrificed part of their liberties to poſſeſs the reſt in peace and ſecurity.

The conſtitution of this country is moſt admirably conſtructed for preſerving to each part of ſociety its proper claims on the reſt, as ſettled by nature and reaſon. That equality ſo much talked of by late writers, is not to be reconciled to true experience; no peo-

ple ever had, or can have it long: if it were by any falſe policy created, it would be deſtructive of its own deſign, the general good: the inequalities of talent and riches would ſtill operate, according to their weight and meaſure, to make diſtinctions. The more the community is branched out into different degrees of wealth and condition, and the more the people are employed and engaged in a variety of purſuits, the ſtronger will be their mutual intereſts and connexions, and the better cemented the plan of ſociety.

Every thing in a great community like this is meaſured according to its value, taking into eſtimation the genius ſuited to each employment, the mind, the character, the wiſdom of the candidate: the recompenſe given to men placed in dignified ſtations is not therefore diſproportionate, if rightly conſidered; the merit and power of one ſuch man to do good to the community, muſt be oppoſed, in value, to the leſſer capacities

pacities of a great number: the proper level may be eaſily aſcertained.

Now the induſtrious poor, who compoſe by far the greater part of the ſociety, muſt therefore be, when taken aggregately, the moſt uſeful of its members.

The only unneceſſary part of ſociety is that whoſe members receive advantages and emoluments, without ever having contributed, or being likely to contribute, to the good of the community.

Nothing appears to be leſs regarded, from what falſe policy I know not, than the mutual claims of ſociety, of man, one to another, and the obligations of natural juſtice.

Perhaps the want of uniformity of opinion, with reſpect to right and wrong, may be juſtly attributed to the ſhock, the common ſenſe of mankind has received, from a ſpirit of falſe philoſophy, both dangerous to ſociety, and an enemy to happineſs.

But the rights of the poor engage our preſent attention.

The

The rights of the poor may be urged with ſafety, from their agreement to the laws of nature and reaſon; and whenever they are not urged againſt the oppreſſion of wealth, and injuſtice, the exiſtence of ſociety is endangered: little reſpect indeed would be paid to that conſtitution, whoſe policy might ſo far contradict the laws of God and nature, as to leave a part of its members unprotected, and in a worſe condition than in a ſtate of uncivilization, to give to another part an unequal proportion of wealth and luxury.

It is not the rights of kings and lords alone, that it is neceſſary to keep inviolate; we muſt be careful to preſerve to the people, undiſturbed, their natural rights, and ſuch privileges as have been parcelled out to them by the wiſdom of our anceſtors; we muſt continue to give them, what we have hitherto allowed them, to poſſeſs in ſecurity what they have hitherto allowed us.

It is to be lamented, that the complaints of the poor have not been earlier attended to; they

they have received nothing hitherto but the meagre ſoup of profeſſed charity; they do not want charity, they want the reward of honeſt induſtry. It is high time exertion ſhould remedy, what impolicy or inattention has permitted. It is time, that the dangerous abuſe of riches, which offends the public health, and runs with ſtrong current againſt the poor, ſhould be ſtemmed before it is too late.

CHAP.

CHAP. II.

The proper Application of the Epithet "Poor," in the preſent Times.

THE word poor, from its Latin derivation, *pauper*, or the French one, *pauvre*, ſignifies, needy, indigent, neceſſitous.

It will not require much diſcernment to make the true application of the word poor, in preſent times, or to aſcertain to what claſs of people it properly belongs: perhaps the following claſſification of the people, more than half a century back, is as near the truth as poſſible:

Firſt, The nobility, &c.
Secondly, Merchants.
Thirdly, Tradespeople.
Fourthly, Little tradespeople, mechanics, &c. *ſuch as procured by their induſtry*

induſtry all the common comforts of life.

Fifthly, The poor, ſuch as were unable to work, from age or infirmity.

Sixthly, Vagrants, beggars, thieves, &c. the peſt of ſociety.

From a juſt view of the preſent unhappy ſtate of ſociety, the following arrangement forcibly applies itſelf:

Firſt, The nobility, &c. &c.

Secondly, Merchants.

Thirdly, Tradespeople.

Fourthly, Little tradespeople, mechanics, labourers, &c. *unable to procure the common comforts of life, properly denominated the poor in the preſent times.*

Fifthly, Vagrants, beggars, thieves, &c, &c.; the preſent objects of miſtaken charity, of ſoup-houſes, &c, &c,

I wiſh, moſt ſincerely, the laſt ſtatement

may be controverted, for if it is ſuffered to paſs *ſub ſilentio*, it is a reproach on the wiſdom, the morals, and the policy of the country.

Let us ſee if the lower order of people, the induſtrious poor, have no claims that ought to have protected them from ſo degrading a tranſpoſition. Muſt they be all beggars? Have they no certain indefeaſible rights?

CHAP. III.

A View of the preſent Condition of the lower Order of People.

THE rights of the poor having been conſidered, it will be neceſſary to turn our eyes to their condition.

It is a melancholy truth, that all that has been done for the induſtrious poor, has been the work of charity; they muſt beg, to procure what they have a natural right to, without begging. Soup-houſes, &c. have been eſtabliſhed with the beſt miſtaken intentions; but the fact is, the poor love to work for their comforts, they can then call them their *own*. They think, and rightly think, they can claim the wages of honeſt induſtry, but do not love the ungrateful taſk of aſking charity.

The common people of England have an honeſt pride in their labour; they call it em-

phatically, *getting their bread*; a ſtrong term, and which would afford a ſtranger one of the moſt noble features of the Britiſh character, true independence.

Let us be careful this character becomes not extinct; it ſeems daily to loſe in ſtrength, and if once it is worn out, the induſtry of the nation is bankrupt.

Dr. Adam Smith, in his excellent work on the Nature and Cauſes of the Wealth of Nations, which I ſhall preſently have occaſion to mention, with a difference of opinion on a particular ſubject, but which weighs not a ſcruple againſt the general principles laid down by that great maſter of human nature, and human action, thus admirably defines what ought to be the recompenſe of the labourer: he ſays, "A man muſt always live by his work, and his wages muſt at leaſt be ſufficient to ſupport him; they muſt even, upon moſt occaſions, be ſomewhat more, otherwiſe it would be impoſſible for him to bring up a family, and the race of ſuch workmen

workmen could not laſt beyond the firſt generation." Mr. Cantillon, quoted by the ſame author, ſeems to eſtabliſh the opinion, that the loweſt ſpecies of common labourers muſt every where earn at leaſt double their maintenance, in order that, one with another, they may be enabled to bring up two children: this rate they conſider the loweſt conſiſtent with common humanity.

What is then the preſent condition of the poor, when the common price of labour in London, and its environs, is ſtated at eighteen pence a day? Let opulence ſhrink from this inquiry, and luxury ſicken at the recital—it muſt be made.

And yet, the common price of labour, ſmall as it appears, would be ſufficient, were not the produce of that induſtry partly loſt by wanton voluptuous exceſs, and waſte, and the reſt by the ingenious management of wealthy men, ſold again to the poor, whoſe induſtry produced the article, at a price which appears beyond credibility, and which

places the common neceſſaries of life nearly out of their reach.

The poor are content with a moderate ſhare of good, that they may enjoy that moderate ſhare without encroachment, and in ſafety: few of them have the folly to wiſh for the *bona fortunæ*, they have common ſenſe enough to know that moſt likely they would not be benefited by the exchange; but they ſhould in all ſocieties have what is called, the *bona corporis*, a comfortable and equal ſubſiſtence, enough to enable them to ſay, "*There is ſomething in the world that is not Cæſar's.*"

CHAP. IV.

The Cauſes of the Indigence and Neceſſity of the Poor.

WHAT are the true cauſes of the indigence and neceſſity of the lower order of people? Have they been corrupted into idleneſs and profligacy, or have they been driven out of the courſe of honeſt endeavour, by the tide of opulence and power being ſet againſt them?

I lament that I cannot purſue this inquiry, without reflections extremely unfavourable to the morals of the times.

I ſubmit to the philoſophical mind, that the principal cauſe of the indigence and neceſſity of the poor, is a depravity to be diſcovered in the maſs of the people, that has looſened the bands of ſociety, and nearly deſtroyed the ſenſe of moral obligation from one man to another. This depravity has originated with the great, and rich, whoſe deviations

tions have ſpread their example to the lower orders of the people.

Theſe deviations are not ſuch as can eaſily eſcape notice, or be conſidered as the ordinary effects of moral evil; they approach nearer to that unhappy ſtate of ſociety which leads to the downfall of an empire. Let us hope this epidemic evil may be checked in time.

Let us ſee how theſe deviations have acted upon ſociety: but previous to this inveſtigation, I ſhall juſt ſtate what I humbly conceive to be the reciprocities due from one rank to another.

The king, the father of his people, and the fountain of juſtice and mercy; from his people, affection and allegiance.

The nobility, the counſellors of the ſtate, and the guardians of the morals of ſociety; from the people, veneration and reſpect.

The dignified clergy, the fathers, and preachers of a pure religion, beautifully

fully correſponding with morality, and capable, by the lovelineſs of its precepts, of ſpreading peace and good will among all ranks of people; from ſociety, zeal and attachment.

The judges of the law, the guardians of the civil rights of the people; from ſociety, reſpect and obedience.

The navy and military of this country merit from the people eſteem and admiration for character and capacities, that enſure to the iſland protection from foreign power.

The merchant, who accumulates wealth by fair and honourable traffic, deſerves the eſteem of his country, in proportion as he increaſes its proſperity, and employs its inhabitants.

The leſſer tradeſman, mechanic, labourer, &c. being the claſs on whom the maſs of manual labour lies, deſerve from the other parts of ſociety, neighbourly love, and ſupport, to encourage

them in induſtry, and teach them to ſet a proper value on the protection of their governors, and the laws.

Theſe rights ſhould be preſerved to the lower order, with the juſtice and affection of a good maſter to a good ſervant; their wants, moderate as they are, ſhould never fail of ſupply; every juſt complaint ſhould have immediate relief; the reward of their labour ſhould be ample, and in a country like this, *even the poor ſhould be rich in the common comforts of life.*

It may be ſeen, by the above ſcale of ſociety, how admirably one part depends upon the other, and how exactly the good brought into the common weal by one part, is equipoiſed by the good returned by the other. The labour of many is balanced by the ſuperior talents and capacities of a few, without whoſe learning and abilities, labour would ſink in value, and ſociety degenerate again into a ſtate of ſavage barbarity.

I have

I have now to appreciate the real worth of the different parts of ſociety, and to ſhow where they have failed in their duty and moral obligations to the reſt.

The nobility, without that fixed character, and energy of mind, which by its example governs the morals of the people.

I truſt it will be underſtood that I ſpeak generally: I am happily convinced that many noble branches follow the precepts of their religion, and perform all the moral and ſocial duties of life; yet the character of our nobility has not been preſerved. Not many years ſince, when the lower orders preſerved a due reſpect for their ſuperiors, ſeldom found in theſe times, the nobleman, and the peaſant, though at a great diſtance in condition, were of the ſame ſocial family, brothers, and friends; they met in the church, they purſued the ſame line of moral duty, and the example of the great was the practice of the poor.

But the nobility and the people have been put at a diſtance by the crooked policy of the times, which fooliſhly hopes for ſubordination from the lower claſſes, independent of the only pledge they can have of its ſincerity and durability—a ſenſe of religion, and of the moral duties of life.

But the democracy of the French has alarmed the Engliſh nobility. Let them recollect that nation immediately before the revolution was become an entire maſs of corruption, to which it owed its deſtruction. The great cauſe was the irreligion and immorality of the people, and if ever they hope for reſt from the convulſions which have followed, it muſt be again in the ſanctuary of religion, without which, morality is imperfect. "Religion is the beſt pledge of the morals of the people." *Monteſ.*

I am now to ſpeak of the clergy of this kingdom, and it is with a ſatisfaction proceeding from repeated obſervations on the character and manners of that reſpectable

claſs of men, that I ſolemnly declare, in oppoſition to every vulgar prejudice, for I can have none other to encounter, that they are the moſt valuable members of ſociety to the poor, and, with few exceptions indeed, perform the duties of their profeſſion with true piety and punctual obſervance. If they are miſtaken in any thing, it is in preaching ſubordination to the lower ranks, which comes ill from the pulpit, where the pure doctrine of Chriſtianity ſhould be unſullied with political differences and party opinion. The Chriſtian religion teaches, without any odious alluſions, the principles of ſubordination; and it is, I believe, ſometimes beſt, to enforce a precept, without the application.

It is my next duty to ſpeak of the great law characters of this kingdom; and here I am unwilling it ſhould be thought I pay a tribute of praiſe from that reſpect alone which we are accuſtomed to ſhow to perſons of eminent ſituation in the ſame profeſſion. The fact is, that I conceive it will matter lit-

tle

tle whom I praiſe or cenſure, any further than my remarks go along with truth; but I am called upon by the nature of the ſubject I am treating, to give an open and unbiaſſed opinion of the conduct and character of every claſs of ſociety. I therefore declare with ſincerity, that I believe, at no period of hiſtory, have the morals of the people, and the obligations of natural juſtice due from one man to another, been more wiſely and carefully watched and protected, than by the preſent judges of the realm. God only knows how ſtrong the ſwelling tide of depravity might have flowed by this time, had it not been forbid to paſs further by integrity ſeated on the throne of juſtice.

From the collective reaſoning I have liſtened to from the bench, I have learned more of the relative duties of private life, than I ever attained from books, though reading has been my conſtant delight, and philoſophy the purſuit of inclination.

I have now to appreciate the character of the

the Engliſh merchant. If I repreſent him dealing with exact juſtice, yet without that ſpirit of trade mentioned by Monteſquieu, and which adheres rigidly to the rules of private intereſt, of a liberal and humane diſpoſition, aſſiſting the unfortunate, and turning his wealth to the conſtant advantage of his country, and the benefit of his fellow-creatures, ſhall I exceed the truth? I will venture the propoſition.

How different from the character I ſhall denominate the mere man of trade, who, without any other principle than the inſatiate love of gain, purſues a ſteady courſe of arithmetical robbery, taking from all, giving to none!

I lament, that while I am aſſerting the rights of the poor, I am obliged to confeſs that the lower order of people of this kingdom, moſt likely from bad example, are, generally ſpeaking, negligent of the duties of religion, without any fixed character, careleſs and remiſs in the relative duties of life, frequently idle, given to drunkenneſs, and with

little reſtraint from conſcience in their dealings with the reſt of ſociety; but, perhaps, theſe deviations are in ſome meaſure the effect of their poverty, and not the cauſe.

It is aſtoniſhing, that, when the religion and juſtice of a country are ſo pure, the manners of the people ſhould be ſo corrupt; the fact is, a maſs of immorality acts againſt a ſmall portion of virtuous energy, which, till it increaſes in ſtrength by the addition of ſupport it may providentially receive from good and well-diſpoſed men, will be unable to check the prevalence of evil.

Let us examine how this vaſt portion of depravity has become diſſeminated among the people, and the different ſhapes it has aſſumed in the ſeveral branches of ſociety. It has certainly needed no other cauſe for its almoſt epidemic influence, than the evil principle of man, unchecked, and unreſiſted, by morality and religion: it appears among the great in the ſhape of pride, luxury, voluptuouſneſs, and waſte; amongſt the rich, as

avarice

avarice and the love of gain, purſuing all means of obtaining greater wealth; among the poor it has the ſame characters, *cæteris paribus*, differing only with education and manners; diſhoneſty, idleneſs, inebriety, are prominent features: the *little great* are very much like the common herd.

Majus et minus non variant ſpeciem. Vain is the attempt of the higher claſſes to eſtabliſh perſonal diſtinctions, when they are aſſociated by bad morals and corrupt habits with the very dregs of ſociety. What are called young men of faſhion, have frequently the ſame language and the ſame ſhocking obſcenities with the common drover and carman. Will this diſguſting depravity be the means of reſtoring to us the true character of an Engliſh gentleman, humane, benevolent, of courteous manners, ſoftening venial errors with the refinements of the underſtanding, preſenting againſt their progreſs the principles of religion and morality, and never allowing them to become a precedent

to others, or to corrupt the heart; in ſhort, poſſeſſing at once, reſerve without pride, and dignity without arrogance?

It is to be lamented, as another great cauſe of depravity, that many of the intelligent, and even learned part of ſociety, are deceived with a falſe and wretched ſyſtem of philoſophy, at once dangerous to the morals and an enemy to happineſs—a philoſophy, that has deprived the poor of their valuable hope and truſt in religion, and relieved the rich from every ſcruple of conſcience. Specious arguments, apparently ſtrong in proof, but logically falſe, are offered to confuſe the underſtanding, and annoy the common ſenſe of mankind, till the great point of human wretchedneſs is attained, deplored by Ariſtotle: *Anxius vixi, dubius morior; neſcio quo vado*—"I have lived anxiouſly, died in doubt, and know not whither I go."

I think I may venture a propoſition with theſe learned profeſſors: it is, that the Chriſtian religion is the moſt perfect ſyſtem of

morality

morality extant; and may it be cheriſhed again among all ranks, from the higheſt to the loweſt! I ſhall never conſider the ruin of my country complete, while the Bible continues to be part of the furniture of the cottage table.

Let it not be imagined, however, that I am ſo little a citizen of the world, as to think the precepts of no other religion of value; I hold, that every principle, tending to the one common centre, the moral and phyſical happineſs of man, let it come from the eaſt or the weſt, the north or the ſouth; whether conveyed in the Koran or the Shaſter, from Mahomed or Confucius, are all of value, in proportion to the purity of their precepts, and no doubt acceptable with God.

Perhaps the greateſt miſchief done by the philoſophy of Paine, was the erecting a formidable barrier againſt truth, by creating a jealouſy and ſuſpicious political diſtruſt in the mind of government. That noble difference of opinion, once exerted

only for the country's good, is now nearly loſt to ſociety. All men are claſſed as ariſtocrats or democrats, names equally obnoxious to the man of ſenſe, who acknowledges no teſt but truth.

Having in ſome degree ſhown, that a general depravity is the chief, though remote cauſe of the preſent wretched ſtate of ſociety, I ſhall proceed to inquire, what are the more immediate cauſes of the indigence and neceſſity of the lower order of people, which I conceive to be principally as follows :

The neglect of agriculture.
The burden of the war.
The weight of taxation.
The offences againſt the public Weal, monopoly, foreſtalling, &c. &c.

The neglect of agriculture is another conſequence of the unhappy deviations from morality, ſo ſenſibly felt in ſociety, and which ſeem to increaſe in a conſiderable ratio the vaſt ſhare of phyſical evil, that ignorance, prejudice,

prejudice, and idleneſs, have permitted to ravage at large.

The celebrated Marquis de Beccaria begins his introduction to his Eſſay on Crimes and Puniſhments, with the following obſervation, as true as it is diſgraceful to the morals of nations:

"In every human ſociety there is an effort continually tending to confer on one part the height of power and happineſs, and to reduce the other to the extreme of weakneſs and miſery."

The deſire of ſome to receive more than their proper ſhare of benefit from the common Weal, keeps up this effort, which reduces a great number to poverty to raiſe a few to affluence.

Wealth is a bleſſing to a country, when, by the wiſdom and virtue of the poſſeſſors, it is made to flow into the numerous ſmall channels of induſtry, fertilizing, like the Nile of Egypt, wherever it comes: but it may be the greateſt curſe, if an inſatiate avarice

rice lays "field to field, till no room is left for the poor;" when the ſmall farm, ſtocked with the comforts of life, becomes the hovel of a labourer, and its once happy owner a dejected ſlave.

Muſt this overgrown maſs of evil increaſe, till it collects itſelf into that enormous bulk of immorality, that ſinks a ſtate?

The burden of the war is another great cauſe of the indigence and neceſſity of the lower order of people, beſides the weight of taxation. A great number of men, neceſſarily engaged in the ſea and land ſervices, would otherwiſe be employed as labourers, giving the produce of uſeful induſtry to their country. In addition to this, the proviſions, of the beſt quality, allowed to the fleets and armies, cauſe an unnatural conſumption, as nothing is received in return, I mean nothing that can enrich our harveſts, and fill our granaries. The country is debited with vaſt expenſes for the ſupport of their fleets and armies, but on the other ſide, it is creditor

ditor by their bravery, and the protection they afford to commerce.

The weight of taxation, though intended to fall chiefly on the higher claſs, and diſtributed apparently with an equal weight, proportioned to the ſtrength of each individual, yet does not fall where it ought: it merely takes a circuitous road to come to the ſame point at laſt, the impoveriſhment of the country. The landholders, to meet the preſſure, raiſe the rents of their tenants; the farmer, the price of his crop; the merchant indemnifies himſelf by an advance on the commodity; and each individual, alike, endeavours to balance the deficiency, till at laſt it is paid by the conſumer of the neceſſary articles of life. Now the poor, who cannot raiſe the price of their labour to meet the preſſure occaſioned by the dearneſs of proviſions, ſuffer, with a degree of injuſtice, the burden of taxation; they dare not combine, they cannot ſtarve, and are reduced to the mortifying neceſſity of preferring compara-

tive wretchedneſs to abſolute want. Let us turn away from this affecting picture, and hope for peace.

But to proceed to the more immediate cauſes of the indigence and neceſſity of the lower order of people, occaſioned by monopoly, foreſtalling, &c. &c. againſt which to find a remedy, is the proper object of my labours.

Offences againſt the health of the public have certainly been permitted; the poor have patiently ſuffered the undue weight and influence of wealth, till the preſſure has become inſupportable.

Pity it is, that men cannot ſee that their beſt intereſt is to be juſt and fair to each other; and that they do not heſitate a little longer between right and wrong.

Judge Blackſtone, in his excellent Commentaries on the Laws of England, ſays, "As the Creator is a Being, of not only infinite power and wiſdom, but alſo of infinite goodneſs; he has been pleaſed ſo to contrive

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the conſtitution and frame of humanity, that we ſhould want no other prompter, to inquire after and purſue the rule of right, than our ſelf-love:" a truth, the experience of life will one day or other prove to our regret.

The man who impoſes on the weakneſs of his neighbour, under the impreſſion that it will ſerve his own true intereſts, is in all caſes betrayed and deceived; the fact is, that, by ſuch a breach of the civil compact, he becomes expoſed to conſtant warfare; his conſcience renders him irkſome and diſſatisfied with himſelf; and when the ſtatement is fairly made, he will find more is ſubtracted from his account of happineſs, than has been added to it by a mean or ſelfiſh action.

It will be proper to impreſs upon the minds of the wealthy, the reaſoning forcibly inculcated by Locke, in his "Conſiderations of lowering the Intereſt:" *When a nation is running to decay and ruin, the merchants,*

and monied men, do what you can, will be ſure to ſtarve at laſt.

Let us briefly ſum up the chief cauſes of the preſent unhappy ſtate of ſociety, and of the miſeries of the poor.

Firſt, A general depravity.
Secondly, The luxury of the rich.
Thirdly, The neglect of agriculture.
Fourthly, The abuſes of monopoly, foreſtalling, &c.

The general depravity muſt be oppoſed at once, by a virtuous energy and deſire among the upper claſſes of people, to purſue the pure precepts of religion and morality, as beſt ſuited to the intereſts of ſociety, and of the nation.

The luxury of the great and rich, the great and rich have the power, and, I hope, the deſire to avoid. It is to be done eaſily: by turning the effect againſt the cauſe, and inſtead of making it praiſeworthy to give public entertainments,

tertainments, where the gaping mouth of waſte ſwallows more than all the gueſts, let it be praiſeworthy, let it be faſhionable, to place only on their tables an economical, choice repaſt of delicate and wholeſome food. I believe among many perſons of faſhion this economy is already begun: it is more elegant, more refined, more ſuited to the tables of thoſe who meet to converſe and not to gormandize*.

The neglect of agriculture proceeds chiefly from the little ſtimulus there is given to the induſtrious to exert themſelves. I conceive the only way to remedy this misfortune will be to cheriſh again an uſeful being, almoſt annihilated in this country, the little farmer.

* "The ſole glory of the rich man is, to conſume and deſtroy, and his grandeur conſiſts in laviſhing in one day upon the expenſe of his table, what would procure ſubſiſtence for many families; he abuſes equally animals and his fellow-creatures, a great part of whom, a prey to famine, and languiſhing in miſery, labour, and toil, to ſatisfy his immoderate deſires and inſatiable vanity, who deſtroying others by want, deſtroys himſelf by exceſs."—BUFFON.

The rich too have the power to do this; they may branch out their eſtates in ſmall farms, ſtock them for the tenants, and be remunerated by a ſmall additional rent. I believe the owners would have no reaſon to repent the plan. A houſe in ſmall tenements lets out to greater advantage than the floors together; indeed I conceive the rent-rolls would be conſiderably more (even allowing for the incapacity of ſome of the occupiers to pay their rent), than they are at preſent, branched into large farms, that check induſtry, and cauſe the neglect of agriculture.

The uſe of oxen for the purpoſes of huſbandry, in the plough, teams, &c. would leſſen conſiderably the conſumption of oats, and much of the ground appropriated to that grain might be ſowed with wheat; a high duty ſhould alſo be laid on all horſes of pleaſure. Theſe concurring efforts, tending to the ſame point of national prudence, would alter the face of things: ſmall weights help to turn the balance.

Abuſes muſt and will exiſt in all governments; but the great depredations of immorality and injuſtice ſhould be checked in time by wiſe laws and regulations.

Let not the monſtrous hand of Monopoly graſp away the comforts of the poor.

CHAP.

CHAP. V.

Of Monopoly, &c. &c.

THE word monopoly is derived from the Greek, and ſignifies, a ſelling alone. Foreſtalling is the buying or bargaining for corn, cattle, &c. by the way, before it comes to the market or fair to be ſold: the word is derived from the Saxon *fore*, i. e. *via*, and *ſtel*. Regrating is the buying and ſelling a commodity in the ſame market or fair, or within five miles thereof.

Engroſſing is, properly, the buying the whole of a commodity, or an unreaſonable quantity of it, for the purpoſe of ſelling it out at an enhanced price.

All monopolies, even granted from the king, are void at common law, being againſt the freedom of trade, and diſcouraging labour and induſtry, putting it in the power of

of particular perſons to ſet what price they pleaſe on a commodity.

Foreſtalling, ingroſſing, and regrating, are offences at common law, as will be ſhown in a following chapter.

The growth of monopoly has increaſed with the bulk of wealth in the country. It is an improvement on ſpeculation, inaſmuch as it is a combination of rich men to make the advantages of the trade a certainty, by governing or directing its uſual viciſſitudes in their own favour*.

I ſhould think myſelf extremely unworthy of attention, if I joined the common hue

* I cannot help remarking, in this place, the great encouragement paper credit, and the uſual accommodation of country bankers, give to monopoly, foreſtalling, &c.: a recent fact is well authenticated. A grazier, who had occaſion to take his cattle to market, to raiſe a preſent ſupply, was informed, in a letter from his ſaleſman, that if he kept them a little longer, he could get a greater price; this letter was ſhown to the country banker, who immediately accommodated him with the ſum, for that purpoſe.

and cry againſt monopoly, or permitted my feelings to be miſtakenly excited againſt an object that exiſted only in idea. In my attempt to diſprove the reaſoning of Dr. Adam Smith, I ſhall enter more fully into the argument, as the refutation of his propoſitions will, in a great degree, be the eſtabliſhment of mine. I ſhall, for the preſent, only ſtate poſitions afterwards to be proved; they are as follows:

Firſt, That the mealmen of the preſent day are moſtly wealthy men.

Secondly, That the wealthy mealmen are in a conſtant and uniform combination to regulate the price of corn, as may beſt ſerve their intereſts.

Thirdly, That the farmer, miſtakenly, conceives it to be his intereſt to ſubmit to the management of the mealman.

Fourthly, That the mealmen are in the habit of engroſſing corn.

Fifthly,

Fifthly, That a combination of meal-men govern the market.

Sixthly, That the abuſes of foreſtalling, regrating, &c. actually exiſt.

I ſhall now attempt to diſprove the arguments of Dr. Adam Smith on monopoly, and then, to uſe a legal phraſe, ſum up the evidence, both poſitive and preſumptive, in ſupport of the propoſitions I have ſtated.

CHAP. VI.

The Reaſoning of Dr. Adam Smith, as it applies to Monopoly, diſproved.

WE are too apt, when a great name is affixed to a work, to make our eſtimate accordingly; and where a man is known to be a philoſopher, to give implicit belief to his aſſertions, on ſubjects on which he is ſuppoſed to be well informed. It is however a poor compliment to ſuch a writer, to be ſo very indolent as not to read enough to judge, or ſo unfair as to deny him an examination, flattering to his abilities, and which might prove the particular, as well as general merit of his book.

I ſhould very properly be conſidered vain and preſumptuous, if I attempted to refute the general principles eſtabliſhed by the author of the Inquiry into the Nature and Cauſes

Cauſes of the Wealth of Nations: one cannot enough admire the great ſcale of human knowledge to be traced in his capacious and well-informed underſtanding.

It will not, I truſt, be difficult to diſcover, at what point the reſearches of that intelligent writer, on the ſubject of monopoly, were intercepted. No man better knew the cauſes and conſequences of great events: no man better knew the hiſtory of commerce, or the probable chances of trade; but then it was the fair game. He was unacquainted with the machinery and ſtage trick of the Corn Exchange, ſince expoſed to public view: he would now be convinced he had ſought for intelligence where it could not be pure; that is, from intereſted parties, from very *clever* men, mealmen and jobbers, who afforded him every information, but that which they thought prudent to conceal.

It is moſt likely, from theſe reaſons, that, if we purſue that author's obſervations on monopoly, beyond the general principles of

trade, we ſhall find many falſe propoſitions and aſſertions, which, to uſe a profeſſional expreſſion, "have been put in his brief," without evidence to ſupport them.

Dr. Adam Smith commences his digreſſion with ſome very juſt remarks on the unmerited praiſes given to that miſtaken and impolitic act, which eſtabliſhes a bounty on the exportation of wheat; and then proceeds to divide the corn trade into four branches: firſt, the trade of the inland dealer; ſecondly, that of the merchant importer for home conſumption; thirdly, that of the merchant exporter of home produce, for foreign conſumption; and fourthly, that of the merchant carrier, or the importer of corn to export it again. Now theſe I conſider, with Dr. Adam Smith, to be the different diviſions of the fair trade; and, as he does not make any mention of the ſubdiviſion of the firſt branch, into jobbers, &c. it is probable he was unacquainted with the exiſtence of that *moſt reputable* claſs of men: the Doctor,

therefore, ſetting out with a falſe propoſition, wanders in plauſible error through the reſt of the ſubject.

Dr. Adam Smith obſerves, that the intereſt of the inland dealer, and that of the great body of the people, are exactly the ſame; that it is the dealer's intereſt to raiſe the price of his corn as high as the real ſcarcity of the ſeaſon requires, and it can never be his intereſt to raiſe it higher; but concludes his obſervation with another erroneous propoſition, that by raiſing the price he diſcourages the conſumption, and puts every body, more or leſs, but particularly the inferior ranks of people, upon thrift and good management. Strange! that a man ſo well acquainted with human nature, ſhould not have recollected, that bread is an article that cannot be ſpared; the neceſſity of having it will always enſure the dealer ſucceſs in his abominable machinations. Hunger will give a high price for food. It would be hard for the labouring man, who exhauſts his ſtrength daily,

to

to be abridged of nouriſhment; perhaps he might conſent to it, but the baker would be offered his whole week's wages ſooner than his wife and children ſhould want. The firſt law of nature ſeems extremely favourable to the views of monopoly.

Dr. Adam Smith compares the ingenious management of the dealer in corn, in times of ſcarcity, to the prudent regard the captain of a ſhip has for the preſervation of his crew, who puts his people on ſhort allowance; there is however difference enough to make the caſes totally diſſimilar. The crew of a ſhip have evidence of a real ſcarcity; we have no evidence of any real ſcarcity; it is all enveloped in the myſtery of trade—but we are pretty well convinced of the ingenuity of dealers in making artificial want.

The ſame author ſpeaks of the indignation excited againſt the dealer as a peculiar hardſhip. I have reaſon to think this is balanced in the account of *caſh* creditor.

The Doctor then ſays, " Were it poſſible, indeed,

indeed, for one great company of merchants to poſſeſs themſelves of the whole crop of an extenſive country, it might perhaps be their intereſt to deal with it as the Dutch are ſaid to do with the ſpices of the Moluccas, to deſtroy or throw away a conſiderable part of them, in order to keep up the price of the reſt." I am afraid the Engliſh corn-dealer and Dutch ſpice-merchant may ſhake hands; and though mealmen have not been incorporated, their minds and intereſts have a cloſe copartnerſhip.

It is curious, that throughout the whole of the Doctor's obſervations on the corn trade, he preſuppoſes fair open dealing, and then draws his concluſion from thoſe premiſes; and thus reaſoning right from wrong principles, proceeds to the minor propoſition before the major is admitted.

The Doctor next makes a remark that inclines me to think he was not perſonally acquainted with any of theſe gentlemen dealers in corn, or he would have known their circumſtances

cumſtances better, and that, whatever men they might have been to the public, they were certainly *good men* on 'Change.

It is a well-known fact, that one mealman near the metropolis can furniſh in a few hours the whole ſtock in money of the London Mill Company.

Dr. Adam Smith goes on to obſerve, that the farmers and dealers are too much diſperſed about the country to enter into a general combination. I will allow it, for the moment; but partial combinations are equally deſtructive to the Common Weal: a combination at Briſtol will do the ſame miſchief there, as a combination at the Corn Exchange will do in London. But it is ſomewhat remarkable that the Doctor contradicts his argument in another part of his work: ſpeaking of maſters in manufacturing trades, he obſerves: "We rarely hear, it has been ſaid, of the combinations of maſters, though frequently of thoſe of workmen; but whoever imagines, upon this account, that maſters rarely combine,

bine, is as ignorant of the world as of the ſubject: maſters are always and every where in a ſort of *tacit*, but conſtant and uniform combination, not to raiſe the wages of labour above their actual rate." The reader will eaſily ſee where the application may be made, and judge whether the ſame conſtant and uniform combination does not exiſt among dealers in corn, to keep up the price of the article.

The ſame intelligent author obſerves, that whoever examines with attention the hiſtory of the dearths and famines, will, he believes, find that a dearth has never ariſen from any combination among the inland dealers in corn. How far they might have aſſiſted to do it, he does not ſay.

The Doctor conſiders exceſſive drought, or exceſſive rain, as the moſt unfavourable ſeaſons for corn; but he ſays, that the diſtribution of high and low lands is ſo equal, that what is loſt in one part of the country, is compenſated by what is gained in the

other: this makes ſtrongly againſt real ſcarcity, at almoſt any ſeaſon, particularly when importation is alſo allowed.

He next adverts to the impropriety of compelling dealers to ſell their corn at what is ſuppoſed to be a reaſonable price. This, he ſays, by hindering them from bringing their grain to market, may have the moſt dangerous conſequences. I readily allow this propoſition.

The Doctor continues: "No trade deſerves more the full protection of the law, and no trade requires it ſo much, becauſe no trade is ſo much expoſed to popular odium." This, I preſume, is meant to apply to the fair trade.

Dr. Adam Smith ſeems to admit, that the corn-merchant is generally in contract with the farmers to furniſh him corn for a certain number of years at a certain price. It is no wonder, therefore, that agriculture is diſcouraged, when the farmer, as well as the

the conſumer, are ſubject to the management of the inland dealer.

Another opinion of the Doctor's is, that the dealer's extravagant profit is no more than ſufficient to put his trade on a level with other trades, and to compenſate for the loſſes he ſuſtains from the periſhable nature of the commodity and the fluctuation of its price: but the fact is, the fluctuations are all his own, he governs the incidents of trade, and even the periſhable nature of the commodity aſſiſts his deſigns. The corn trade is not a ſpeculation, but ingenious management which turns every thing to advantage.

It is really aſtoniſhing, that a writer of ſuch eminent abilities ſhould be ſo much miſtaken as to ſtate the following propoſitions: That great fortunes are as ſeldom made in this as in any other trade; that it is abandoned to an inferior ſet of dealers, millers, bakers, mealmen, and meal-factors, together with a number of wretched huck-

ſters, who are the only middle men, that, in the home market, come between the grower and the conſumer." How little pains, ſometimes, do men of the firſt abilities take to be correct, and how falſely do we appreciate the characters and conditions of men! It is known to every one, that mealmen (who by the by are millers) are ſome of the richeſt individuals in the country. The wretched huckſters the Doctor ſpeaks of, are, no doubt, of the ſame genus with the eminent jobbers: how little was he acquainted with the natural hiſtory of the ſpecies!

The Doctor next obſerves, that the ancient policy of Europe encouraged the popular odium againſt the dealers in corn, and mentions the acts made in the 5th and 6th years of the reign of Edward VI. I will maintain as long as I have breath to draw, that the ancient or modern policy of men and nations, kings and miniſters, is only juſt and valuable as far as it agrees with truth and morality.

The reaſon of the acts is ſtated in the pre-

ambles, which give a conciſe view of foreſtalling and regrating; they were made agreeable to the common law of the land, and the repealing them was at once impolitic and abſurd.

This great author next obſerves, that our anceſtors ſeemed to have imagined the people would have bought their corn cheaper of the farmer than of the corn-merchant, who, they were afraid, would have an exorbitant profit to himſelf; they endeavoured, therefore, to annihilate his trade altogether; they endeavoured to hinder, as much as poſſible, any middle man, of any kind, from coming between the grower and the conſumer. Our anceſtors ſeem to have diſcovered pretty well where the evil lay, and if they had encouraged fair trade, at the ſame time they diſcouraged fraud and deceit, we ſhould never have had occaſion to repeal thoſe ſtatutes. He next very juſtly obſerves, that the farmer ought not to exerciſe the trade of a corn-merchant, as it would divide his capital

tal and prevent him from employing it in the cultivation of his land. This is extremely true: corn-factors are neceſſary people, but then all corn ſhould be ſent to the market and ſold but once.

He next enlarges on the great advantages that would accrue to the country, by turning the farming ſtock of the kingdom to its proper buſineſs, the cultivation of land; this I truſt would be done more effectually if the farmer's endeavours were not ſubject to the ſchemes of the mealman.

The Doctor then mentions the ſtatute of the 15th of Charles II. by which the engroſſing or buying of corn to ſell again, as long as the price did not exceed 48*s.* was declared lawful to all perſons not being foreſtallers, that is, not ſelling again in the ſame market within three months; and then goes on to ſay, that if a merchant ever buys up corn, either going to a particular market, or in a particular market, it muſt be becauſe he judges that the market cannot be ſo liberally

ſupplied

ſupplied through the whole ſeaſon, as upon that particular occaſion, and that the price, therefore, muſt ſoon riſe: if he judges wrong in this, and if the price does not riſe, he not only loſes the whole profit of the ſtock which he employs in this manner, but a part of the ſtock itſelf, by the expence and loſs which neceſſarily attend the ſtoring and keeping of corn. I believe we have a complete anſwer to this: he does not always ſtore the corn, but ſells it again in leſs than an hour, in the ſame market, at an advanced price; or if he does ſtore it, he can manage, with the aſſiſtance of his friends, to create a ſcarcity whenever he pleaſes.

The Doctor continues: "He hurts himſelf, therefore, much more eſſentially than he can hurt even the people, whom he may hinder from ſupplying themſelves on that particular market-day, becauſe they may afterwards ſupply themſelves, juſt as cheap, upon any other day." It muſt be preſumed, not juſt

as

as cheap when the market is riſing; and the dealer knows better than to buy under any other circumſtances.

Dr. Adam Smith alſo makes the following obſervation: "In a real ſcarcity the beſt thing that can be done for the people, is to divide the inconvenience of it as equally as poſſible through the different months, weeks, and days of the year: the intereſt of the corn-merchant makes him ſtudy to do this as exactly as he can; and no other perſon can have the ſame intereſt, the ſame knowledge, or the ſame abilities to do it ſo exactly as he." I think the dealer is not quite diſintereſted enough to do this altogether for the public good. But this eminent author's moſt remarkable aſſertion is, that the popular fears of engroſſing and foreſtalling may be compared to the popular terrors and ſuſpicions of witchcraft. I admit the reſemblance of the popular terrors, except that there is a little more reality in one than

in

in the other: the mealman's is a kind of natural or rather arithmetical magic; a *black art*, infinitely beyond all the ſupernatural intelligence of a wizard.

CHAP. VII.

The Exiſtence of the Offences of Monopoly, Foreſtalling, &c. proved.

I BELIEVE every day's experience of facts muſt have gone a great way to refute the principles laid down by Dr. Adam Smith on monopoly, without much reaſoning on the ſubject; I ſhall, however, add ſome few obſervations, warranted by the poſitive and preſumptive evidence obtained, ſome within my own reach and knowledge, ſome authenticated by the teſtimony of intelligent and worthy men, and others ſtill more ſtrongly proved by the unwilling evidence of intereſted parties themſelves, in ſupport of the propoſitions I have endeavoured to eſtabliſh.

I believe it is allowed me that mealmen are in general wealthy individuals.

The ſecond propoſition, that they are in a conſtant

conſtant and uniform combination to regulate the price of corn as may beſt ſerve their intereſts*, has been pretty well proved by the reaſoning of Dr. Adam Smith, on the exiſtence of other combinations; it is extremely difficult to get poſitive evidence of the fact. The combination does not act in any fixed or marked character, but conſiſts in a general and uniform conſent to do the beſt they can for their own intereſt, however againſt the intereſt of the public; their mode of diffuſing the ſecrets of monopoly, like Weiſhaupt's ſcale to the illuminati†, arranges the plan, and communicates it to all its members at once.

The third propoſition, that the farmer miſtakenly conceives it to be his intereſt to ſubmit to the management of the mealman, is

* Mealmen, till they have bought in their ſtocks of wheat, by combinations, lower the markets; but when they have engroſſed great quantities into their own hands, by management and artifice in the market, they ſell the flour at an exorbitant price.

† See Barruel's Memoirs.

a well-known fact in the country. The farmers, to ſave themſelves the trouble and expenſe of ſending corn to market, and to gain the advantage of a quick return of their capital, open their barns to the mealman at the price he offers, ſubmitting to a management diametrically oppoſite to their true intereſts.

It would be to the advantage of the farmer that all corn ſhould be ſent to market: the difference of the price it would fetch, would ſufficiently compenſate for the trouble. It would not be adviſable for farmers to turn corn-dealers, as it would take them from the great buſineſs of huſbandry; but the courſe to be taken would be very ſimple and eaſy; it ſhould be ſold by the factor, who would then be a uſeful perſon, and the whole profit would be the farmer's. Dr. Adam Smith admits that the farmers are ſometimes in contract for two or three years with the dealers: I will leave any thinking mind to judge whether they

they are gainers or loſers by theſe ill-judged agreements.

The fourth propoſition, that the mealmen are in the habit of engroſſing corn*, is admitted by Dr. Adam Smith, but it is denied that the practice is detrimental to the public. The reaſoning, however, on which the common law againſt engroſſing is grounded, is ſtrong, diſtinct, and clear; it is not the language of ſpeculative philoſophy; it is that broad, plain, common ſenſe, to which the mind aſſents as eaſily as to the problem, that the ſides of a right-angle triangle are equal.

The fifth propoſition, that a combination of mealmen govern the market, has been proved from the authority of men whoſe duty requires them to attend Mark Lane, and who admit that a few opulent individuals have the entire guidance of that place, and return to the meal-weighers what price they pleaſe

* A farmer in Hertfordſhire having ſaid he could always tell when it was likely to be a plentiful year, and being aſked in what way? humorouſly anſwered, "It is when Mr. M. buys no corn."

for flour, which price they artfully regulate by ſales to the neceſſitous bakers, and give to the meal-weighers as the *bona fide* ſale, by which means the aſſize of bread is advanced. A quarter of wheat is eight buſhels, which uſually yields from five to ſix buſhels of flour, according to the quality of the wheat. It has lately happened when the price of bread has been fixed from the average price of flour being 5*l.* per ſack, that the baker has been obliged to pay at the rate of five guineas. This can only be accounted for by the management of the mealmen, who will not grind but when they chooſe. There is no law to compel them to ſell their flour, and in vain is the price of wheat reduced, when it cannot reduce in proportion the price of meal.

The ſixth propoſition, that the abuſes of foreſtalling, regrating, &c. actually exiſt, has been proved in a court of juſtice. It is impoſſible for the common ſenſe of mankind to be played upon ſo ſucceſsfully as to aſſent to a contrary belief. Not all the ingenious

perſpective

perſpective into which abilities or ſcience could throw the tranſaction can place it in a favourable point of view; not all the cloaks of conſummate falſehood heaped together, could cover this maſs of iniquity ſo as not to be ſeen; not even the new ſyſtem of logic ſet up by the country gentleman, can convince us of the *harmleſſneſs and inoffenſiveneſs* of his friends. In attempting to clear up characters like theſe, he reſembles the varniſher of a bad picture, who only brings forward its deformities.

CHAP. VIII.

The Inſufficiency of legal Remedies againſt Monopoly, &c.

I SHALL juſt give a ſhort account of the principal bills, and regulations of the legiſlature, with reſpect to monopoly, foreſtalling, &c. becauſe it will be ſomewhat a curious inquiry to trace the rude honeſty of our anceſtors, gradually refining with the growth of riches and luxury, into improvement and corruption.

From theſe acts paſſed at different periods, uſeful leſſons on the weakneſs and inconſtancy of human wiſdom may be drawn, demoliſhing one fabric of abſurdity, to raiſe up another, and leaving the hiſtorian's page a contemptible diſplay of human folly.

All monopolies, even granted by the king, are void at common law, being againſt the freedom

freedom of trade, and diſcouraging labour and induſtry, putting it in the power of particular perſons to ſet what price they pleaſe on a commodity.

This is the reaſoning on which the common law is grounded, and in which, even now, the common ſenſe of mankind muſt join.

The offences of foreſtalling and regrating, being offences at common law by the common cuſtom of the realm, before any act of parliament, ſufficiently ſhow in how deteſtable a light our anceſtors viewed this practice.

" All endeavours whatever to enhance the common price of any merchandiſe, and all kinds of practice which have any apparent tendency thereto, whether by ſpreading falſe rumours, or by buying things in a market before the accuſtomed hour, or by buying, and ſelling the ſame thing again in the ſame market, or by any other ſuch like devices, are highly criminal at common law, and all

ſuch offences anciently came under the general notion of foreſtalling, which included engroſſing, regrating, and all kinds of offences of this nature." Haw. P. C. 234. 3 Inſt. 195, 196.

" And ſurely there can be no attempt of this kind but muſt be looked upon as a high offence againſt the public, as it apparently tends to put a check upon trade, to the general inconvenience of the people, by putting it out of their power to ſupply themſelves with corn without an unneceſſary expence, which often proves extremely oppreſſive to the poorer ſort, and cannot but give juſt cauſe of complaint to the richeſt." 1 Haw. P. C. 234.

" No perſon can lawfully buy within the realm any merchandiſe in groſs, and ſell the ſame in groſs again, becauſe by ſuch means the price will be enhanced; for the more hands any merchandiſe paſſeth through, the dearer it muſt grow, becauſe every one will make his profit of it."

Is

Is this reaſoning or not? Is it not a plain ſimple propoſition?

"And if ſuch practices were allowed, a rich man might engroſs into his hands a whole commodity, and then ſell it out at ſuch price as he ſhould think fit; which is of ſuch dangerous conſequence, that the bare engroſſing a whole commodity with intent to ſell it at an unreaſonable price, is indictable at the common law, whether any part of it be ſold by the engroſſer or not." 1 Haw. P. C. 234. 3 Inſt. 196.

"And ſo jealous is the common law of all practice of this kind, that it will not ſuffer corn to be ſold in the ſheaf, perhaps for this reaſon, becauſe by this means the market is in effect foreſtalled." 1 Haw. P. C. 235, 237.

What would our anceſtors have ſaid to corn-dealers contracting with farmers for the crops of three years—admitted by Dr. Adam Smith?

"It is ſaid that by an ancient ſtatute

the offender ſhould be grievouſly amerced for the firſt offence, condemned to the pillory for the ſecond, and be compelled to abjure the *ville* for the third; and at this day offences of the kind are puniſhable by fine and impriſonment upon an indictment of common law." 1 Haw. P. C. 235. 3 Inſt. 197.

The ordinance for bakers, &c. *incert. temp.* c. 10. made during the reigns of Henry III. Edward I. or II.; but uncertain when, or in which of their times, is another relic of the wiſdom and honeſty of our anceſtors.

" No foreſtaller ſhall be ſuffered to live in any town who manifeſtly is an oppreſſor of the poor, a public enemy of the country, who meeting grain, fiſh, or other things coming to be ſold, doth make haſte to buy them before another, thirſting after wicked gain, oppreſſing the poor, and deceiving the rich, and by that means goeth about to ſell the things much dearer than he that brought them; who cometh about merchant ſtrangers, and offereth

them help in the ſale of their wares, and informeth them that they may ſell their wares dearer than they meant to have done; he that is convicted thereof the firſt time, ſhall be amerced, and ſhall loſe the thing ſo bought according to the cuſtom of the town; he that is convicted the ſecond time, ſhall have judgment of the pillory, the third time he ſhall be impriſoned and confined, the fourth he ſhall abjure the town."

Then follow ſtatutes expreſsly made to prevent theſe abuſes: the ſtatute 2d and 3d Edward VI. chap. 15.; 5th and 6th Edward VI. chap. 14.; 5th Elizabeth, chap. 12.; 15th Car. II. chap. 17. grounded on the ſame rules of reaſon with the common law.

Now I conceive that it requires great conſideration before we are tempted to diſturb or repeal any act of the legiſlature, as moſt probably they were not framed without wiſdom and caution. A change of the circumſtances of the times may, in ſome caſes, make it neceſſary;

ceſſary; but if the principle of an act is the ſame with the rule of reaſon from which the common law is derived, it muſt ſtand for ever; the repealing of it is a mere nugatory effort of party or prejudice; the law is ſtill the ſame, and without ſtatute, ordinance, or regulation, commands aſſent: what is againſt reaſon *cannot ſtand*; what is with reaſon cannot be *annulled*. We ſhall now ſee how the legiſlature abandoned the principle it had for ages purſued, and eſtabliſhed the contrary propoſition, not judging between the reſtraint of fair trade, which ought never to be permitted, and the wiſe reſtraints againſt monopoly and foreſtalling, which are the protection of the fair dealer, and of the true intereſts of trade; the defects of the former acts were, that they did not allow a free exportation and importation of corn, not that they reſtrained practices prejudicial to trade. The preamble to the act 12th George III. is as follows: "Whereas it has been found by experience, that the reſtraints laid by ſeveral

ſtatutes

ſtatutes upon the dealing in corn, meal, flour, cattle, and ſundry other ſorts of victuals, by preventing a free trade in the ſaid commodity, have a tendency to diſcourage the growth, and to enhance the price of the ſame; which ſtatutes, if put in execution, would bring great diſtreſs upon the intereſts of many parts of this kingdom, and in part upon the cities of London and Weſtminſter: be it therefore enacted."

I will aſk, what are we to act from? the rules of reaſon, or the rules of nonſenſe? To ſay that reſtraints againſt diſhoneſt practices in a trade are an injury to its freedom, is to ſay that a propoſition can be both true and falſe at the ſame time: ſee how it ſtands: "The beſt protection to trade is honeſty." —Honeſty is an injury to trade.

The freedom of trade, like the municipal law, *commands what is right, and prohibits what is wrong.*

All that was wanting was a free export-ation, and importation, checked by the pro-

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per reſtraints of the former acts as to engroſſing, foreſtalling, regrating, &c. Encouragement would then have been given to fair trade, and the wiſe reſtraints againſt its abuſes would have remained.

Without the ſpirit of the acts of the 2d and 3d Edward VI. and the 5th and 6th Edward VI. is reſtored by parliament, nothing effectual can be done. The common law, though open to all who chooſe to ſeek the relief it affords, will be reſorted to, but by few: we have to truſt merely to individual pique, or reſentment, to bring the *ſecret* tranſactions of trade to light; and when the parties come to a better underſtanding, the unpleaſant taſk of bringing neighbours and brother-dealers into court, will be abandoned as very *improper* and *impolitic*.

CHAP.

CHAP. IX.

The Inſufficiency of public Meaſures already taken againſt Monopoly, &c.

IT does not appear that any public meaſures already taken, are equal to meet the calamity. They are rather ſpeculations againſt monopoly, than means derived from that ſort of wiſdom which may be juſtly called, *Magis experiendo, quam diſcendo.*

As yet we have only to lament that nothing to the purpoſe has been done. Slow and majeſtic reſolutions have been paſſed, and annulled; much breath has been ſpent in argument, and much time loſt in "ſtrenuous idleneſs."

We muſt, however, give Government and magiſtrates credit for good intentions; it has been found a matter of great difficulty to unravel the myſteries of monopoly, foreſtalling,

&c. but as they have at laſt been drawn out and expoſed, let us hope a remedy is not far off.

Among the public meaſures adopted againſt the oppreſſion of monopoly, the London Mill Company ranks higheſt as a benevolent inſtitution. To the characters of the proprietors is attached that reſpectability which gives a ſufficient guarantee to the world of pure and patriotic intentions.

It is in effect oppoſing a groſs and offenſive monopoly, by a monopoly for the public good.

I am, however, afraid it can never be carried into execution; the plan is defective *ab origine*, and the act an incongruous maſs of permiſſion and reſtraint, power and proſcription.

The firſt difficulty that may reaſonably be looked for, will be an abated energy in its managers; for it is not eaſy to believe, that men who are conſtantly occupied and engaged, both on the great ſcale of public and

private

private affairs, will be able to find the time and unwearied attention the inſtitution requires, and which certainly cannot be compriſed in weekly meetings. It may be ſaid they will have ſervants capable of the undertaking: ſervants, I will admit, may attend to the minutiæ of trade. It is eaſy to find book-keepers; but the extenſive ſyſtem which unites the public intereſt with the intereſt of the proprietors, muſt be formed in the mind, and operate from the talents of men who have time to think and act, and whoſe object may be liberal recompenſe, who are capable of active penetration and conſtant perſeverance, ſuperior to obſtacle, and who can turn every thing to the fair advantage of the eſtabliſhment.

Such, as near as poſſible, ſhould be the conductors of the London Mill Company.

But a more ſerious difficulty preſents itſelf in the certainty of a powerful competition. It is a fact received in evidence, that the Albion Mill Company felt the neceſſity of

coming to an agreement with their competitors, who had been underſelling them for a length of time; and this agreement was propoſed by a ſervant of that concern.

It being impoſſible for the London Mill Company to come to any ſuch agreement, it is next to impoſſible that they can withſtand a combination aſſiſted with all the ſkilful management of the trade.

Symptoms of the *vis inertiæ* have already appeared. As yet the deſign and the execution preſerve the ſame diſtance as at firſt: ſurely by this time the Company ſhould have become acquainted with the people, their plan ſhould have been publiſhed, and their views better explained to a jealous public. Temporary mills and bakehouſes ſhould have been procured and ſet to work, till the great ſcale of the deſign had had time to arrive at maturity, and the ſpirit of exertion had been mixed with the public ſpirit of the times.

The proprietors of this eſtabliſhment are the patrons and friends of every charitable

inſtitution. How much better ſuited to their characters, would it have been to have inſtituted a charity by voluntary contributions, to have ſupplied the induſtrious poor of large families, or ſuch as were in ſickneſs, with a portion of bread, leaving the active and healthy to meet the preſſure by their own honeſt exertions, not to give relief to any whoſe real ſituation was unknown to the ſubſcribers?

Notwithſtanding I foreſee difficulties innumerable in the execution of the benevolent deſign of the London Mill Company, it has, I am ſure, the hearty wiſhes of every good man for its ſucceſs, and I moſt firmly believe that both the managers and projectors have come forward with the plan from the pureſt principles and motives.

CHAP.

CHAP. X.

Thoughts on the probable Means of Remedy againſt Monopoly, Foreſtalling, &c. &c.

IS there no plan by which Adminiſtration might check the growth of monopoly, without injuring the honeſt views of trade? Is there no way by which they might make the ſcarcity of the ſeaſon a cauſe of much honour and credit to themſelves? like the Emperor Trajan, whom Pliny delicately praiſes for the care he took of the people, by making ample proviſion of corn to ſupply their neceſſities in a ſeaſon when the Nile failed to give the land of Egypt its fruitful inundation: *Nilus Ægyptio quodem ſæpe ſed gloriæ noſtræ nunquam largior fluxit*—"The Nile never flowed higher for the glory of the Romans."

I ſhall firſt ſtate the chief cauſe of the annual

annual ſcarcity of corn, which I conceive to be the injudicious reſtraints occaſioned by the want of a free exportation and importation. In favour of which remedy I ſhall be ſupported by the great principles of commerce, and the reaſoning of the wiſeſt men, approved by experience and trial. "When Sully entered on the adminiſtration of the French finances, the corn in France was at an exorbitant price, occaſioned by the neglect of huſbandry during the civil war; that ſagacious miniſter diſcovered the ſecret of re-eſtabliſhing agriculture, and of reducing the price of corn, which is to allow a free exportation: ſo rapid was the ſucceſs of that bold but politic meaſure, that in a few years France became the granary of Europe." Lord Kaims's Sketches, vol. ii. page 236.

This great national object cannot however be attempted, before ſufficient time ſhall be given for induſtry to ſtart forward in aid of its completion: a public notice ſhould be advertiſed

advertiſed in the Gazette, that, after the harveſt from the next ſowing, exportation ſhall be free.

But let us ſee what public meaſures it will be proper to adopt to meet the preſſure of the moment. The great preſent object appears to be that of producing an early importation of corn: the price will bring foreigners to the country. Government muſt take care it is ſold openly in the market; and to do this effectually, we conceive the following meaſures are neceſſary:

Firſt, A plan to prevent future combinations among farmers or dealers.

Secondly, A plan to prevent middlemen, or jobbers, coming between the factor (the repreſentative of the farmer) and the mealman.

Thirdly, A plan by which an aſſize of flour might be fixed to bear a due proportion to the price of wheat.

I now

I now venture, with ſubmiſſion to Government, to offer, as a plan embracing theſe beneficial views, the eſtabliſhment of a popular progreſſive exciſe.

CHAP. XI.

A popular progreſſive Exciſe on Corn, Flour, &c. &c. ſuggeſted.

WHAT I mean by a popular exciſe, is one from which the *revenue* ſhall derive no benefit; an exciſe ſolely for the *public good*, for the purpoſe of enforcing *proper* reſtraints on trade, the produce of which exciſe ſhall be applied to pay the ſalaries of proper officers, and the ſurplus beſtowed in bounties to little farmers, for corn cultivated and brought to open market, in proportion to the quantity.

This plan would, I truſt, be agreeable to the principles of trade. Monteſquieu, who underſtood thoſe principles well, ſays, "The conſtraint of the merchant is not the conſtraint of commerce;" and in the ſame chapter obſerves, that the Engliſh conſtrain the merchant, but it is in favour of commerce.

In

In favour of the fair corn trade, I venture to recommend an exciſe, becauſe I am ſure no other remedy can reach *the diſeaſe*; and I am ſatisfied that the farmers of this country will have occaſion to rejoice in a plan that will give them the firſt fruits of their labour, which they have hitherto ſhared with the dealers.

Though we have not hitherto equalled other countries in the accuracy of calculation and in the work of intelligence, yet I believe there are men to be found, who would poſſeſs Government with a ſtatement of the average conſumption of corn throughout the kingdom—a neceſſary meaſure in the plan I venture to recommend: of which the following is a proſpectus.

CHAP. XII.

Proſpectus of Plan.

THREE commiſſioners, 500*l.* per annum each.

Duty—To receive the returns from the different inſpectors of the conſumption of corn.

To receive the returns of the different inſpectors of corn-fields and granaries throughout England and Wales.

To eſtimate from thoſe returns the probability of the country being ſupplied with corn through the year, on which eſtimate is to be ſettled the *ratio* of the progreſſive exciſe, which ſhall be made to *increaſe* or *decreaſe* on the ſtock of the farmer, and mealman or dealer, in an equal ratio with the *plenty* or *ſcarcity* of corn in the markets; the great object of the commiſſioners being, by prudent management, to *divide* the inconveniences of ſcarcity

equally through the year, *increaſing* the tax in plenty till it produces the ſupply wanted and no more, and *decreaſing* it in ſcarcity, to the end that a prudent reſerve might remain in the barns to anſwer future exigency.

This would not injure but aſſiſt the true intereſts of the farmer, which are, to ſecure a fair and liberal profit, and quick return of his capital without riſk or ſpeculation: in ſhort, an exciſe intended merely for the purpoſe of intelligence, and to detect abuſes, and not at all as a burden on the farmer or dealer.

Twelve clerks, ſalaries 100*l.* each. Duty —To make entries and proper minutes, &c. &c. under the direction of the commiſſioners.

Inſpector general of corn-returns, 300*l.* per annum.—To receive and average the returns ſupplied by the inſpectors, and to prepare the eſtimates for the commiſſioners.

Inſpectors of the conſumption and produce, appointed for different diſtricts, to be choſen from perſons of ſmall independent property, of good character: ſalary 100*l.*

Having

Having thus far ſhown what has ſuggeſted itſelf to my mind, as a full and adequate means to prevent combination, I ſhall proceed to that part of the deſign which aims at the annihilation of monopoly, foreſtalling, engroſſing, and regrating, by deſtroying the race of jobbers and middle-men, the *go-betweens* of trade, *whoſe knowledge we cannot believe is always exerted for the public good.*

I conceive this may be included in the ſame plan, by appointing inſpectors of the principal markets, who ſhall grant a permit for every ſale, expreſſing the quantity ſold and the ſeller's and buyer's names, with a heavy penalty if he permits the ſame article to be reſold in the ſame market: this inſpector alſo to return to the meal-weighers the proper price for flour, to be regulated in proportion to the price of wheat.

The inſpector of the London market to have a ſalary of 500*l.* per annum.

The inſpectors of other principal markets to have 300*l.* per annum.

An

An inſpector of the principal mills. Duty—To take weekly the ſtocks of different millers, and *mark* the bags of flour as they are filled, with the price, as *regulated* in the market, and *at which* they ſhall be ſold. Shifting the flour into other bags, or forging the mark, to be felony.

This will prevent mealmen from aſking what price they pleaſe for flour, which they do at the preſent time with impunity, as they are not obliged to ſell at the price returned to the meal-weighers, that *ceremony* being merely to ſettle the aſſize of bread.

Buying or ſelling corn, above a certain quantity, without proper permits, to be tranſportation.

Small farmers, or mealmen, and dealers in the country, to be allowed to ſell or buy ſmall quantities, not exceeding a quarter of wheat or a ſack of flour, provided it is removed, and no other tranſaction between the buyer and ſeller on the ſame market-day.

By theſe means the farmer will have a

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ſurplus handſome profit for his grain; the miller will have his, fairly aſſized, in proportion to the price of wheat; and will only be compelled to do what honeſty requires, to ſell his flour at a liberal profit.

If this plan *determines* the line between the advantages of fair trade and the abuſes of trade, if it fixes the *point of profit* at which the moderate dealer will be *content* to employ his capital and exert his induſtry, or *abandon* his purſuits as unprofitable; if it gives freedom to trade, by reſtraining its *abuſes* only, it has probably come nearer perfection than any deſign hitherto ſuggeſted.

I leave it however to wiſer heads to decide on the merits of the plan, feeling at leaſt the ſelf-ſatisfaction, that my time has not been miſpent while employed in the ſervice of the induſtrious and much-neglected poor.

THE END.

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